

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE**

MAUREEN C. DELSORDO and)
husband MICHAEL D. DELSORDO)
)
Plaintiffs,)
)
v.)
)
BLUEGREEN VACATIONS,)
UNLIMITED, INC. d/b/a LAUREL)
CREST RESORT)
)
Defendants.)

Civil Action No. _____

NOTICE OF REMOVAL OF CIVIL ACTION

Defendant Bluegreen Vacations Unlimited, Inc. (“Defendant”), pursuant to 28 U.S.C. § 1441(b), 1446, and 28 U.S.C. § 1332, hereby file and serve this Notice of Removal of Civil Action on the grounds of diversity jurisdiction and respectfully show unto the Court as follows:

1. On November 6, 2019, the Plaintiffs commenced an action against Defendant, in the Circuit Court for Sevier County, Tennessee, bearing Case No. 19CV754I. A copy of the filings from the Circuit Court for Sevier County, Tennessee is attached hereto as collective Exhibit 1.
2. Process was certified mailed to Defendant’s registered agent via the Tennessee Secretary of State and received on November 12, 2019.
3. Removal is appropriate here as Plaintiffs allege they are citizens of Pennsylvania residing in Lincoln University, Pennsylvania. Comparatively, Defendant is incorporated in Florida with a principal place of business in Boca Raton, Florida. As such, complete diversity exists among the parties.

4. Further, the amount in controversy requirement is satisfied as the Complaint alleges \$150,000.00 in damages. Consequently, the amount in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs.

5. Under 28 U.S.C. § 1441(b), actions over which the District Courts of the United States have original jurisdiction are removable, and this Court has original jurisdiction of this case under 28 U.S.C. § 1332(a)(1). This action is removable to this Court because this is a civil action, the Plaintiffs and the Defendant are citizens of different states within the meaning of 28 U.S.C. § 1332, and the amount in controversy exceeds \$75,000, exclusive of interest or costs.

6. This Notice of Removal is filed with the Clerk of the United States District Court for the Eastern District of Tennessee, Knoxville within thirty days, as computed by Fed. R. Civ. P. 6(a), of the date of service. Accordingly, the time that Defendant has to answer or otherwise respond to the above-styled Complaint has not yet expired and this Removal is timely filed.

7. A copy of this Notice of Removal is contemporaneously filed with the Circuit Court Clerk for Sevier County, Tennessee, giving due notice to the State Court, and further, a copy of this Notice of Removal and the exhibit hereto will be served on the Plaintiffs by and through their counsel.

8. The exhibits hereto include the only documents filed in this cause. To date, there have been no responsive pleadings or discovery served in this action and no further proceedings have been held in the Circuit Court for Sevier County, Tennessee.

9. Based on the foregoing, this Court has jurisdiction of the above-entitled action pursuant to 28 U.S.C. § 1332, and removal of this action is proper pursuant to 28 U.S.C. § 1441(b) under the procedure set forth in 28 U.S.C. § 1446.

10. In filing this Notice of Removal of Civil Action, Defendant reserved all rights and defenses available to it.

WHEREFORE, Defendant hereby serves Notice that the above-captioned action pending against it in the Circuit Court for Sevier County, Tennessee, has been removed therefrom to this Court.

Respectfully submitted,

ADAMS AND REESE LLP

/s/ F. Laurens Brock
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Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the **Notice of Removal of Civil Action** was filed electronically this the 5th day of December, 2019. Copies may also be accessed through the Court's ECF system. Notice of this filing was served via the Court's Electronic Case Filing system to all parties and counsel listed on the electronic filing receipt.

Furthermore, I hereby certify that a true and exact copy of the foregoing has been served on the following parties by placing it in the U.S. Mail, First Class, postage prepaid as indicated below, on this the 5th day of December, 2019.

George R. Garrison
1142 Dolly Parton Parkway
Sevierville, Tennessee 37862
Attorneys for Plaintiff

By: /s/ F. Laurens Brock